

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

John Hedrick
2634 West Walnut Street
Colmar, PA 18915

(b) County of Residence of First Listed Plaintiff Montgomery
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Vicki Piontek, Esquire
951 Allentown Road, Lansdale, PA 19446
877-738-8617 palaw@justice.com

DEFENDANTS

Experian Information Solutions, Inc., et al.
475 Anton Boulevard
Costa Mesa, CA 92626

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Mohammad A. Ghiasuddin, Esquire - Kaplin Stewart Meloff Reiter & Stein, PC - 910 Harvest Drive, PO Box 3037, Blue Bell, PA 19422-0765 610-941-2546 mghiasuddin@kaplaw.com

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Fair Credit Reporting Act, 15 USC 1681, et seq.

Brief description of cause:

Claims under Fair Credit Reporting Act 15 USC 1681, et seq.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

02/22/2016

SIGNATURE OF ATTORNEY OF RECORD

Mohammad A. Ghiasuddin, Esquire

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. **Origin.** Place an "X" in one of the six boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 2634 West Walnut Street, Colmar, PA 18915

Address of Defendant: 475 Anton Boulevard, Costa Mesa, CA 92626

Place of Accident, Incident or Transaction: Montgomery County, PA
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes ☒ No ☐

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases

11. ☒ All other Federal Question Cases

(Please specify) Fair Credit Reporting Act 15 USC 1681, et seq.

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Mohammad A. Ghiasuddin, Esq., counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☒ Relief other than monetary damages is sought.

DATE: 2/22/2016 _____
Attorney-at-Law

83925
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 2/22/2016 _____
Attorney-at-Law

83925
Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

JOHN HEDRICK

CIVIL ACTION

v.


EXPERIAN INFORMATION
SOLUTIONS, INC., et al.

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (x)

<u>2/22/2016</u> Date	 Attorney-at-law	Defendant Attorney for Experian Information Solutions, Inc- <u>mghiasuddin@kaplaw.com</u> E-Mail Address
<u>610-941-2546</u> Telephone	<u>610-684-2013</u> FAX Number	

**Civil Justice Expense and Delay Reduction Plan
Section 1:03 - Assignment to a Management Track**

- (a) The clerk of court will assign cases to tracks (a) through (d) based on the initial pleading.
- (b) In all cases not appropriate for assignment by the clerk of court to tracks (a) through (d), the plaintiff shall submit to the clerk of court and serve with the complaint on all defendants a case management track designation form specifying that the plaintiff believes the case requires Standard Management or Special Management. In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.
- (c) The court may, on its own initiative or upon the request of any party, change the track assignment of any case at any time.
- (d) Nothing in this Plan is intended to abrogate or limit a judicial officer's authority in any case pending before that judicial officer, to direct pretrial and trial proceedings that are more stringent than those of the Plan and that are designed to accomplish cost and delay reduction.
- (e) Nothing in this Plan is intended to supersede Local Civil Rules 40.1 and 72.1, or the procedure for random assignment of Habeas Corpus and Social Security cases referred to magistrate judges of the court.

**SPECIAL MANAGEMENT CASE ASSIGNMENTS
(See §1.02 (e) Management Track Definitions of the
Civil Justice Expense and Delay Reduction Plan)**

Special Management cases will usually include that class of cases commonly referred to as "complex litigation" as that term has been used in the Manuals for Complex Litigation. The first manual was prepared in 1969 and the Manual for Complex Litigation Second, MCL 2d was prepared in 1985. This term is intended to include cases that present unusual problems and require extraordinary treatment. See §0.1 of the first manual. Cases may require special or intense management by the court due to one or more of the following factors: (1) large number of parties; (2) large number of claims or defenses; (3) complex factual issues; (4) large volume of evidence; (5) problems locating or preserving evidence; (6) extensive discovery; (7) exceptionally long time needed to prepare for disposition; (8) decision needed within an exceptionally short time; and (9) need to decide preliminary issues before final disposition. It may include two or more related cases. Complex litigation typically includes such cases as antitrust cases; cases involving a large number of parties or an unincorporated association of large membership; cases involving requests for injunctive relief affecting the operation of large business entities; patent cases; copyright and trademark cases; common disaster cases such as those arising from aircraft crashes or marine disasters; actions brought by individual stockholders; stockholder's derivative and stockholder's representative actions; class actions or potential class actions; and other civil (and criminal) cases involving unusual multiplicity or complexity of factual issues. See §0.22 of the first Manual for Complex Litigation and Manual for Complex Litigation Second, Chapter 33.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN HEDRICK,

Plaintiff,

v.

EXPERIAN INFORMATION
SOLUTIONS, INC., and
XYZ CORPORATIONS,

Defendants.

Case No. _____

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1441, Defendant Experian Information Solutions, Inc.

(“Experian”) hereby files its Notice of Removal of the above-captioned action to this Court and states as follows:

1. Experian is named as Defendant in Civil Action No. 2016-00134 filed in the Court of Common Pleas of Montgomery County, Pennsylvania (the “State Court Action”).
2. The Complaint in the State Court Action was filed with the Office of the Prothonotary of Montgomery County, Pennsylvania on January 25, 2016 and was served on Experian on February 2, 2016.
3. This Notice is being filed with this Court within thirty (30) days after Experian received a copy of Plaintiff’s initial pleading setting forth the claims for relief upon which Plaintiff’s action is based.
4. A copy of all process, pleadings, and orders served upon Experian in the State Court Action is attached hereto as Exhibit A. Experian has redacted personal identifying information in Exhibit A that was not redacted by Plaintiff.

5. Experian is a corporation which, for monetary fees, regularly engages in whole or in part in the practice of assembling consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. Experian uses means or facilities of interstate commerce for the purpose of preparing or furnishing consumer reports, and therefore is a “consumer reporting agency” within the meaning of 15 U.S.C. § 1681a(f).

6. The claims of relief against Experian alleged in the State Court Action arise under the Fair Credit Reporting Act, 15 U.S.C. §§ 1681–1681u. Thus, this court has original subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1681p. The above-captioned action may properly be removed to this United States District Court pursuant to 28 U.S.C. § 1441(a).

7. Promptly after the filing of this Notice of Removal and pursuant to 28 U.S.C. § 1446(d), Defendant shall provide notice of removal to Plaintiff John Hedrick, via his counsel of record, and to the Clerk of the Montgomery County Court of Common Pleas where the State Court Action was filed.

Dated: February 22, 2016

Respectfully submitted,

/s/ Mohammad A. Ghiasuddin

Mohammad A. Ghiasuddin, Esq.

Pa. Bar No. 83925

Kaplin Stewart Meloff Reiter & Stein, P.C.

910 Harvest Drive

P.O. Box 3037

Blue Bell, PA 19422-0765

Phone: (610) 941-2546 (direct)

Fax: (610) 684-2013

E-mail: mghiasuddin@kaplaw.com

Attorney for Defendant

Experian Information Solutions, Inc.

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

JOHN HEDRICK

vs.

EXPERIAN INFORMATION SOLUTIONS INC

NO. 2016-00134

NOTICE TO DEFEND - CIVIL

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE SERVICE
MONTGOMERY BAR ASSOCIATION
100 West Airy Street (REAR)
NORRISTOWN, PA 19404-0268

(610) 279-9660, EXTENSION 201

PRIF0034
R 10/11

IN THE COURT OF COMMON PLEAS
OF MONTGOMERY COUNTY, PENNSYLVANIA

John Hedrick	:	
2634 West Walnut Street	:	Civil Action - Law
Colmar, PA 18915	:	
Plaintiff	:	2016-00134
v.	:	
Experian Information Solutions, Inc.	:	
475 Anton Blvd	:	
Costa Mesa, CA 92626	:	
and	:	Jury Trial Demanded
X,Y, Z Corporations	:	
Defendant	:	

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THE COMPLAINT AND NOTICE ARE SERVED BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE DEFENDANT. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

MidPenn Legal Services
128 Breckenridge Street -Gettysburg, PA 17325
(717) 334-7623

IN THE COURT OF COMMON PLEAS
OF MONTGOMERY COUNTY, PENNSYLVANIA

John Hedrick	:	
2634 West Walnut Street	:	Civil Action - Law
Colmar, PA 18915	:	
Plaintiff	:	2016-00134
v.	:	
Experian Information Solutions, Inc.	:	
475 Anton Blvd	:	
Costa Mesa, CA 92626	:	
and	:	Jury Trial Demanded
X,Y, Z Corporations	:	
Defendant	:	

COMPLAINT

1. This is a lawsuit for damages brought by an individual consumer for Defendant(s)' alleged violations of the Fair Credit Reporting Act (FCRA), and the Fair and Accurate Credit Transaction Act (FACTA), 15 U.S.C. 1681, et seq.
2. Venue is proper in this District because Defendant(s) do(es) business in this jurisdiction and avails itself of the benefits of the market in this jurisdiction.
3. Venue is proper in this jurisdiction because a substantial portion of the transaction, occurrence or omission took place in this jurisdiction.
4. Plaintiff resides in this jurisdiction.

5. Plaintiff is John Hedrick, an adult individual with a mailing address of 2634 West Walnut Street, Colmar, PA 18915.

6. Defendants are the following individuals and business entities.

a. Experian Information Solutions, Inc., (Experian) an Ohio corporation with a principle place of business address including but not limited to 475 Anton Blvd., Costa Mesa, CA, 92626.

b. X,Y,Z Corporations, business identities whose identities are not know to Plaintiff at this time, but which will become known upon proper discovery. It is believed and averred that such entities played a substantial role in the commission of the acts described in this complaint.

**COUNT ONE: Violation of the Fair Credit Reporting Act (FCRA)
and the Fair and Accurate Credit Transactions Act (FACTA), 15 USC 1681f and 1681e
et. seq.**

**Failure to Conduct Reasonable Investigation and Maintain Reasonable Accuracy
Capital One Account Ending in 9547**

7. All previous paragraphs of this complaint are incorporated by reference and made a part of this complaint.
8. At all times mentioned herein Plaintiff was a consumer as defined by 15 USC 1681a et. seq.
9. At all times mentioned herein Plaintiff was a person as defined by 15 USC 1681a (c).
10. At all times mentioned herein Plaintiff was an individual as defined by 15 USC 1681a (c).
11. At all times mentioned in this Complaint, Defendant was a "consumer Reporting Agency" (CRA) as defined by 15 USC 1681a(f) et. seq.
12. At all times mentioned in this Complaint, Defendant was a "person" as defined by 15 USC 1681a(f) et. seq.
13. At all times mentioned in this Complaint Capital One was a Furnisher of information as referred to in 15 USC 1681s-2 of the FCRA.

14. At all times mentioned in this Complaint, Capital One was a Furnisher of information as referred to in 15 USC 1681s-2 of the FCRA.
15. Prior to the commencement of this action, Plaintiff disputed certain information about a Capital One account on Plaintiff's consumer report depicted in the attached exhibits.
16. The disputed account appeared on Plaintiff's Experian consumer report and in his file maintained by Defendant Experian.
17. Plaintiff disputed the account directly with Capital One, and then with Defendant Experian.
18. Plaintiff did not dispute that the Capital One account was his. Instead he disputed the amount of the alleged charge off balance, including the interest and fees assessed on the account.
19. The basis of Plaintiff's dispute was that Plaintiff had thoroughly researched the account and disagreed with the amount of the alleged charge off balance which Capital One had reported to Defendant.

20. Plaintiff sent numerous written requests to Capital One where Plaintiff asked for a copy of the underlying contract governing the account as well as any other supporting documents to legally justify the amount of the alleged charge off balance including principle, interest, fees and other charges. Capital one received Plaintiff's disputes and requests for documentation, and Capital One responded.
21. Capital One's responses were woefully deficient because Capital One never produced a copy of the underlying contract governing the account, nor did Capital One ever produce any supporting documentation.
22. Plaintiff gave Capital One numerous chances to explain legally justify the alleged charge off balance, but Capital One never produced any contract or any other documents to legally justify the amount of the alleged charge off balance.

23. Plaintiff then disputed the account with Defendant in writing. When Plaintiff disputed the account with Defendant, Plaintiff thoroughly explained to Defendant the history of his correspondence with Capital One. Plaintiff explained to Defendant how that he had written to Capital One and requested a copy of the contract and any other documents which justified the amount of the alleged charge balance. Plaintiff also explained to Defendant that Capital One never produced a copy of the governing contract or any other documents to legally support the amount of the alleged charge off balance. Plaintiff supplied exhibits to his disputes consisting of all or substantially all of his correspondence to and from Capital One about the disputed account.

24. Defendant repeatedly verified the disputed account despite Plaintiff's thorough and documented dispute letters complete with exhibits.

25. Defendant repeatedly verified the disputed account despite the fact that Plaintiff clearly demonstrated that Capital One had never produced a copy of the governing contract for the account, and Plaintiff also demonstrated clearly that Capital One had failed to provide another other documents to legally justify the amount of the alleged charge off balance.

26. The United States Court of Appeals for the Fourth Circuit held that the FCRA requires furnisher to conduct detailed examinations of the documents underlying customer transactions before responding to inquiries about a customer's debt, instead of relying on computer databases that provide convenient but potentially incomplete or inaccurate customer account information. See *Johnson v. MBNA America Bank*, No. 03-1235 (February 11, 2004).

27. Defendant's investigation process did not live up to the standards of *Johnson v. MBNA*

America Bank, No. 03-1235 (February 11, 2004).

28. Defendant violated the duty under 15 USC 1681i by verifying the above referenced account

without obtaining any documentation in support of its contention that Defendant was legally responsible for the account.

**COUNT TWO: Violation of the Fair Credit Reporting Act (FCRA)
and the Fair and Accurate Credit Transactions Act (FACTA), 15 USC 1681i(a)(7) et.
seq.
Failure to Disclose Method of Verification for Capital One Account Ending in 9547**

29. The previous paragraphs of this Complaint are incorporated by reference.
30. After Defendant verified the derogatory information despite Capital One's lack of documentation, Plaintiff then wrote to Defendant again and requested a description of the procedure used by Defendant to verify the derogatory information. Plaintiff requested a description of the specific method of verification that was used. Plaintiff asked Defendant if they had obtained any documents from Capital One. Plaintiff asked Defendant whether they utilized any of the documents supplied by Plaintiff's with his dispute letters.
31. Defendant received plaintiff's request for a description of the method of verification.
32. Defendant responded to Plaintiff's request for the method of verification, but Defendant did not describe to Plaintiff what the procedure was to verify the derogatory account. Instead, Defendant sent Plaintiff a generic boiler plate form letter that described multiple types of methods of verification that could have been used. But no particular method of verification was described in the generic boiler plate form letter. Defendant did not disclose to plaintiff if any documents were sought or obtained from Capital One. Defendant did not disclose to Plaintiff whether Plaintiff's documents supplied along with Plaintiff's disputes to Defendant were used in the verification process.

33. When asked by Plaintiff about a description of the procedure used to verify the derogatory information, Defendant gave the least bit of generic information that Defendant thought it could get away with.
34. Defendant's generic boilerplate explanation of the method of verification was not in compliance with 15 USC 1681i(a)(7) which requires a CRA to disclose the specific method of verification what was used to verify a disputed account, upon written request by the consumer for such method of verification.
35. Defendant's generic boilerplate explanation of the method of verification made a mockery of 15 USC 1681i(a)(7).
36. Defendant flaunted the law of 15 USC 1681i(a)(7) by refusing to give a description of the specific method of verification that was used to verify the disputed account.
37. Defendant circumvented the law of 15 USC 1681i(a)(7) by refusing to give a description of the specific method of verification that was used to verify the disputed account.

LIABILITY AND DAMAGES

38. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.

39. At all times mentioned in this Complaint, various employees and / or agents of Defendant were acting as agents of Defendant and therefore Defendant is liable to for the acts committed by its agents and / or employees under the doctrine of respondeat superior.

40. At all times mentioned in this account, employees and / or agents of Defendant were acting jointly and in concert with Defendant, and Defendant is liable for the acts of such employees and / or agents under the theory of joint and several liability because Defendant and its agents or employees were engaged in a common business venture and were acting jointly and in concert.

41. Plaintiff believes and avers that Plaintiff is entitled to \$1,000.00 statutory damages Plaintiff pursuant to 15 USC 1681 et. seq.

42. Plaintiff believes and avers that Defendant's actions were willful.

43. Plaintiff believes and avers that Defendant's actions were systemic.

44. Because Defendant(s) acts and omissions were willful, Plaintiff requests punitive damages.

45. Plaintiff requests punitive damages against Defendant in the amount to be determined by this Honorable Court, pursuant to 15 USC 1681n et. seq. and other portions of 15 USC 1681 et. seq.

46. For purposes of a default judgment, Plaintiff believes and avers that the amount of such punitive damages should be no less than \$9,000.00.

ATTORNEY FEES

47. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.

48. Plaintiff is entitled to attorney fees pursuant to 15 USC 1681 et. seq., in the amount of \$2,100.00 at a rate of \$350.00 per hour, enumerated below.

a. Consultations with client, review of file, preparing letters	2
b. Drafting, editing, review, redaction, filing of complaint and related documents, service of process	2
c. Follow up contact with Defense	2

6 x \$350 = \$2,100

49. Plaintiff's attorney fees continue to accrue as the case move forward.

50. The above stated attorney fees are for prosecuting this matter and reasonable follow up.

OTHER RELIEF

51. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.

52. Plaintiff demands a jury trial in this matter.

53. Plaintiff seeks fees and costs for prosecuting this action.

54. Plaintiff seeks such other relief as this Honorable Court may deem just and proper.

Wherefore, Plaintiff demands judgment against Defendant(s) in the amount of no less than \$12,101.00 as enumerated below.

\$1.00 more or less actual damages.

\$1,000.00 statutory damages

\$2,100.00 attorney fees

\$9,000.00 punitive damages

\$12,101.00

Plaintiff seeks such additional relief as the Court deems just and proper.

/s/ Vicki Piontek

1/25/2016

Vicki Piontek, Esquire
Attorney for Plaintiff
951 Allentown Road
Lansdale, PA 19446
877-737-8617
palaw@justice.com
Fax: 866-408-6735

Date

IN THE COURT OF COMMON PLEAS
OF MONTGOMERY COUNTY, PENNSYLVANIA

John Hedrick
2634 West Walnut Street
Colmar, PA 18915

Plaintiff

v.

Experian Information Solutions, Inc.
475 Anton Blvd
Costa Mesa, CA 92626

and

X,Y, Z Corporations

Defendant

Civil Action - Law

Jury Trial Demanded

VERIFICATION

I, John Hedrick, affirm that the statements contained in the attached complaint are true and correct to the best of my knowledge, understanding and belief.


John Hedrick

1/6/15
Date

EXHIBITS

**JOHN HEDRICK
40 N RICHARDSON AVE
LANSDALE, PA 19446**

**CAPITAL ONE
PO BOX 30231
SALT LAKE CITY, UT 84130**

**Re. JOHN HEDRICK SSN: [REDACTED]
Date of Birth [REDACTED]
Account Number [REDACTED] XXXX
Alleged Charge Off Balance \$719**

To Whom it May Concern:

Your company has placed derogatory information about the above referenced account on my credit report. I wish to dispute the above referenced account.

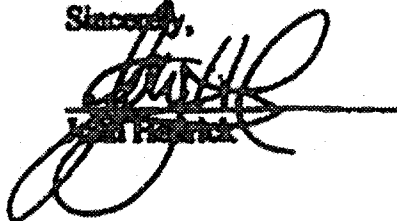
I am not disputing that this account pertains to me. But I am disputing the amount of the alleged high balance which you are claiming.

Please provide me with a copy of the contract which proves the amount of the alleged high balance which you are claiming. If you do not have a contract, then please provide specific and detailed alternate proof of the alleged high balance.

This is a disputed account. Please indicate on my credit report that this account is in dispute.

Thank you.

Sincerely,


John Hedrick

3/17/14
Date



P.O. Box 30261
Salt Lake City, UT 84130-0261

0000

March 25, 2016

John Hunkick
48 W Richardson Ave
Lansdale, PA 19446

Ref: xxxxxxxxxxxx0347
Case # [REDACTED]

Dear John Hunkick,

Thanks for contacting us about your credit bureau report. We've verified that the information on your credit report matches the information in our records.

On 03/25/2014 we correctly reported your account's high credit as \$719.69. High credit means the highest balance on your account since you opened it.

We provide information on the status of your account to the credit reporting agencies every month.

If you still believe we've supplied incorrect information to the credit reporting agencies, please send us a copy of any documentation that supports this, such as your credit report. Please mail the information by 04/24/2016 to:

Capital One
P.O. Box 30261
Salt Lake City, UT 84130-0261

Please understand that we can't take further action until we receive this information. Once we receive it, we'll work with the credit reporting agencies to verify the information, and let you know the outcome within 30 days.

If you have questions, please call us at 1-800-655-7070. Our Customer Service Representatives are available 24 hours a day, 7 days a week.

Sincerely,

Capital One Services, LLC

0402

PAGE 01 OF 01
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000000 / 00 1131 17

Case# 2016-00134-2 Docketed at Montgomery County Probationary on 01/25/2016 2:02 PM, Fee = \$0.00



P.O. Box 30295
Salt Lake City, UT 84130-0295

18

March 23, 2014

John Heskich
49 N Richardson Ave
Lansdale, PA 19046

Re: MONTGOMERY0347
Case #: [REDACTED]

Dear John Heskich,

Thanks for contacting us about your Capital One® account. We appreciate the opportunity to address your inquiry regarding the validity of this account.

According to our records, we received your application by mail on 08/10/2011 and your account was opened on 03/12/2011. The last charge billed to your account was on 03/02/2012 in the amount of \$4.44. Your last payment received on this account was on 03/13/2014 in the amount of \$387.88.

- ☒ We have placed a disagreement code with a resolution of dispute on your credit file to the major credit reporting agencies.
- ☐ A disagreement code with a resolution of dispute is on your credit file with the major credit reporting agencies.
- ☐ The disagreement code was removed from your credit file.

This account was opened with a valid contract between you and Capital One.

If you have questions, please give us a call at 1-800-833-7070. Our Customer Service Representatives are available 24 hours a day, 7 days a week.

Sincerely,
Capital One Services, LLC

NOTE: SEE NEXT PAGE FOR IMPORTANT INFORMATION

PAGE 01 OF 04

3/23/14 10:00 AM

0-230-001

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Case# 2016-00134-2 Docketed at Montgomery County Prothonotary on 01/25/2016 2:02 PM, Fee = \$0.00



1. Capital One Services, LLC is a subsidiary of Capital One, National Association, and services the following Capital One affiliated companies:
Capital One Bank (USA), National Association; Capital One, National Association; and Capital One Auto Finance, Inc.

2. If you receive this letter in Connecticut, the District of Columbia, Iowa, New York City, North Carolina or Vermont, and your Account involves a debt incurred primarily for personal, family, household or other consumer purposes, the following disclosure is required by applicable state or local law:

This is an attempt to collect a (consumer) debt (claim). Any information obtained will be used for that purpose.

If you receive this letter in Iowa and your Account involves a debt incurred primarily for personal, family, household or other consumer purposes, the following disclosure is required by state law:

This communication is from a debt collector.

If you receive this letter in Massachusetts and your Account involves a debt incurred primarily for personal, family, household or other consumer purposes, the following disclosure is required by state law: **NOTICE OF IMPORTANT RIGHTS: YOU HAVE THE RIGHT TO MAKE A WRITTEN OR ORAL REQUEST THAT TELEPHONE CALLS REGARDING YOUR DEBT NOT BE MADE TO YOU AT YOUR PLACE OF EMPLOYMENT. ANY SUCH ORAL REQUEST WILL BE VALID FOR ONLY TEN DAYS UNLESS YOU PROVIDE WRITTEN CONFIRMATION OF THE REQUEST POSTMARKED OR DELIVERED WITHIN SEVEN DAYS OF SUCH REQUEST. YOU MAY TERMINATE THIS REQUEST BY WRITING TO THE CREDITOR.**

The terms used in the above disclosures are defined by applicable state or local law. This is not a complete list of the rights that you may have.

3. If you are entitled to the protections of the United States Bankruptcy Code (11 U.S.C. §§ 362; 524) regarding the subject matter of this letter, the following applies to you:
THIS COMMUNICATION IS NOT AN ATTEMPT TO COLLECT, ASSESS, OR RECOVER A CLAIM IN VIOLATION OF THE BANKRUPTCY CODE AND IS FOR INFORMATIONAL PURPOSES ONLY.

4. If this letter indicates an amount owing on your Account, this amount is owing as of the date of this letter. Because of interest, late charges, and other charges that may vary from day to day as described in your agreement, the amount due on the day you pay may be greater. For example, if you pay the amount described in this letter, an adjustment may be necessary after we receive your payment.

5. Unless a specific date is provided, if this letter states a time period within which an amount must be paid to avoid further action such time period commences on the date of this letter.

6. When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your deposit account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your deposit account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution. This authorization is not restricted by the date on the check and includes

PAGE 01 OF 01

01/25/2016 1:58 PM



1. The first part of the document is a list of references. The references are listed in a standard format, with the author's name, the title of the work, and the publisher's name. The references are as follows:

2

THE

2025 / 04 04 00 00

© 2014 Capital One. Capital One is a federally registered service mark. All rights reserved.

JOHN HEDRICK
40 N RICHARDSON AVE
LANSDALE, PA 19446

CAPITAL ONE
PO BOX 30281
SALT LAKE CITY, UT 84130

Re. JOHN HEDRICK SSN: [REDACTED]
Date of Birth [REDACTED]
Account Number [REDACTED] XXXX
Alleged Charge Off Balance \$719

To Whom It May Concern:

Your company has placed derogatory information about the above referenced account on my credit report. I wish to dispute the above referenced account.

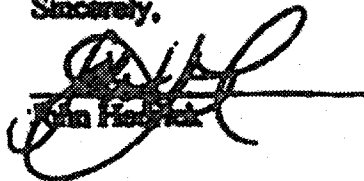
I am not disputing that this account pertains to me. But I am disputing the amount of the alleged high balance which you are claiming.

Please provide me with a copy of the contract which proves the amount of the alleged high balance which you are claiming. If you do not have a contract, then please provide specific and detailed alternate proof of the alleged high balance.

This is a disputed account. Please indicate on my credit report that this account is in dispute.

Thank you.

Sincerely,


John Hedrick

4/23/14
Date

JOHN HEDRICK
40 N RICHARDSON AVE
LANSDALE, PA 19446

CAPITAL ONE
PO BOX 30281
SALT LAKE CITY, UT 84130

Re. JOHN HEDRICK SSN: [REDACTED]
Date of Birth [REDACTED]
Account Number [REDACTED] OPEN
Alleged Charge Off Balance \$719

To Whom it May Concern:

Your company has placed derogatory information about the above referenced account on my credit report. I wish to dispute the above referenced account.

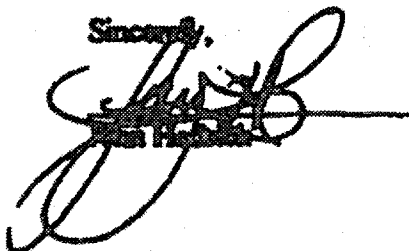
I am not disputing that this account pertains to me. But I am disputing the amount of the alleged high balance which you are claiming.

Please provide me with a copy of the contract which proves the amount of the alleged high balance which you are claiming. If you do not have a contract, then please provide specific and detailed alternate proof of the alleged high balance.

This is a disputed account. Please indicate on my credit report that this account is in dispute.

Thank you.

Sincerely,


John Hedrick

5/19/14
Date

JOHN HEDRICK
40 N RICHARDSON AVE
LANSDALE, PA 19446

CAPITAL ONE
PO BOX 30281
SALT LAKE CITY, UT 84130

Re. JOHN HEDRICK SSN: [REDACTED]
Date of Birth [REDACTED]
Account Number [REDACTED]
Alleged Charge Off Balance \$719

To Whom it May Concern:

Your company has placed derogatory information about the above referenced account on my credit report. I wish to dispute the above referenced account.

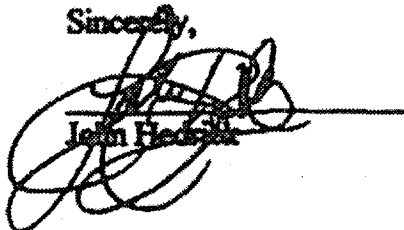
I am not disputing that this account pertains to me. But I am disputing the amount of the alleged high balance which you are claiming.

Please provide me with a copy of the contract which proves the amount of the alleged high balance which you are claiming. If you do not have a contract, then please provide specific and detailed alternate proof of the alleged high balance.

This is a disputed account. Please indicate on my credit report that this account is in dispute.

Thank you.

Sincerely,


John Hedrick

7/14/14
Date



P.O. Box 30281
Salt Lake City, UT 84130-0281

July 19, 2014

John Hedrick
40 N Richardson Ave
Lansdale, PA 19448

Rec: xxxxxxxxxxxx95-47
Case #: [REDACTED]

Dear John Hedrick,

Thanks for contacting us about your credit bureau report. We've verified that the information on your credit report matches the information in our records.

On 07/19/2014 we correctly reported your accounts high credit as \$719.88. In addition, we have placed a disagreement code with a resolution of dispute on your credit file to the major credit reporting agencies.

We provide information on the status of your account to the credit reporting agencies every month.

If you still believe we've supplied incorrect information to the credit reporting agencies, please send us a copy of any documentation that supports this, such as your credit report. Please mail the information by 08/18/2014 to:

Capital One
P.O. Box 30281
Salt Lake City, UT 84130-0281

Please understand that we can't take further action until we receive this information. Once we receive it, we'll work with the credit reporting agencies to verify the information, and let you know the outcome within 30 days.

If you have questions, please call us at 1-800-955-7070. Our Customer Service Representatives are available 24 hours a day, 7 days a week.

Sincerely,

Capital One Services, LLC



P.O. Box 36285
Salt Lake City, UT 84136-0285

713

October 10, 2014

John Hedrick
40 N Richardson Ave
Lansdale, PA 19446

Re: ~~XXXXXXXXXX05-07~~
Case # ~~XXXXXXXXXX~~

Dear John Hedrick,

Thanks for contacting us about your Capital One® account. We appreciate the opportunity to address your inquiry regarding the validity of this account.

According to our records, we received your application by Paper on 03/10/2011 and your account was opened on 03/12/2011. The last charge billed to your account was on 08/08/2012 in the amount of \$4.44. Your last payment received on this account was on 03/13/2014 in the amount of \$257.88.

- ☒ We have placed a disagreement code with a resolution of dispute on your credit file to the major credit reporting agencies.
- ☐ A disagreement code with a resolution of dispute is on your credit file with the major credit reporting agencies.
- ☐ The disagreement code was removed from your credit file.

This account was opened with a valid contract between you and Capital One.

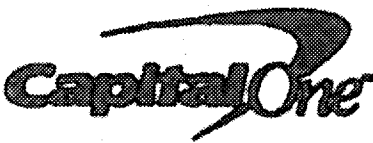
If you have questions, please give us a call at 1-800-955-7070. Our Customer Service Representatives are available 24 hours a day, 7 days a week.

Sincerely,
Capital One Services, LLC

NOTE: SEE NEXT PAGE FOR IMPORTANT INFORMATION



- PAGE 02 OF 03 31227 / 08 12128/008
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reimbursements. We will not be bound by any restrictive legend or condition appearing on the face or reverse side of the check.

Case# 2016-00134-2 Docketed at Montgomery County Prothonotary on 01/25/2016 2:02 PM, Fee = \$0.00
CASEFILED 01/25/2016 02:02 PM 713

JOHN HEDRICK
40 N RICHARDSON AVE
LANSDALE, PA 19446

CAPITAL ONE
PO BOX 30281
SALT LAKE CITY, UT 84130

Re. JOHN HEDRICK SSN: [REDACTED]
Date of Birth [REDACTED]
Account Number [REDACTED]
Alleged Charge Off Balance \$719

To Whom it May Concern:

Your company has placed derogatory information about the above referenced account on my credit report. I wish to dispute the above referenced account.

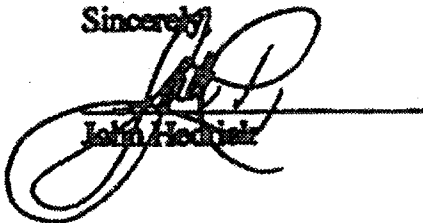
I am not disputing that this account pertains to me. But I am disputing the amount of the alleged high balance which you are claiming.

Please provide me with a copy of the contract which proves the amount of the alleged high balance which you are claiming. If you do not have a contract, then please provide specific and detailed alternate proof of the alleged high balance.

This is a disputed account. Please indicate on my credit report that this account is in dispute.

Thank you.

Sincerely,


John Hedrick

6/16/15
Date

JOHN HEDRICK
40 N RICHARDSON AVE
LANSDALE, PA 19446

CAPITAL ONE
PO BOX 30281
SALT LAKE CITY, UT 84130

Re. JOHN HEDRICK SSN: [REDACTED]
Date of Birth [REDACTED]
Account Number [REDACTED]
Alleged Charge Off Balance \$719

To Whom it May Concern:

Your company has placed derogatory information about the above referenced account on my credit report. I wish to dispute the above referenced account.

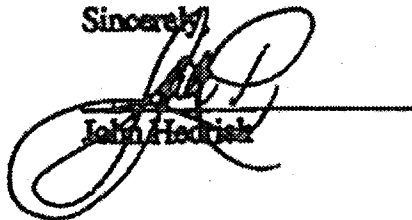
I am not disputing that this account pertains to me. But I am disputing the amount of the alleged high balance which you are claiming.

Please provide me with a copy of the contract which proves the amount of the alleged high balance which you are claiming. If you do not have a contract, then please provide specific and detailed alternate proof of the alleged high balance.

This is a disputed account. Please indicate on my credit report that this account is in dispute.

Thank you.

Sincerely,


John Hedrick

6/16/15
Date

John Hedrick
2634 West Walnut Street
Colmar, PA 18915

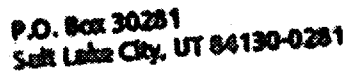
July 2, 2013

Dear John Hedrick,

We have reviewed our records and found that we previously responded to your request on 07/25/2013. Based on our investigation of your records, we believe that our original determination is correct.

If you have any questions, please give us a call at 1-800-955-7070. We're available anytime, seven days a week.

Case# 2016-00134-2 Docketed at Montgomery County Prothonotary on 01/25/2016 2:02 PM, Fee = \$0.00



July 3, 2013

2041

John Heidrick
40 N Richardson Ave
Lansdale, PA 19446

Ref: ~~XXXXXXXXXX~~ 10

Case #:

Dear John Hedrick,

Dear John Hedrick,

Thanks for contacting us about your credit report. Based on the information you gave us, we researched your account. We know your credit is important to you so we want to help you understand what we found.

With high credit as \$719.89.

On 07/03/2015, we correctly reported your account's high credit as \$719.00.

If you have any general questions about your account, please give us a call at 1-800-955-7070.

Sincerely,

Capital One® Credit Bureau Resolutions

JOHN HEDRICK
2634 West Walnut Street
Colmar, PA 18915
[REDACTED]

Experian
P.O. Box 2002
Allen, TX 75013

Re. JOHN HEDRICK SSN: [REDACTED]
Date of Birth [REDACTED]
CAPITAL ONE Account Number [REDACTED]
Alleged Charge Off Balance \$719

To Whom it May Concern:

Your company has placed derogatory information about the above referenced account on my credit report. I wish to dispute the above referenced account. I am not disputing that this account pertains to me. But I am disputing the amount of the alleged charge off balance.

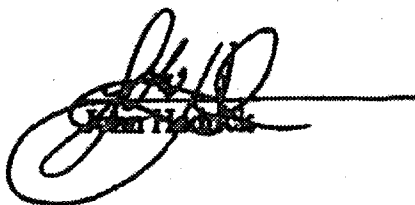
I have requested a copy of the contract from Capital One. I have asked for proof of the contract to justify their alleged balance. I have asked for proof for the interest rate, late fee and other charges. See attached exhibits.

Capital One has responded to my disputes and requests for information. But the responses were woefully deficient. They have failed to provide the documents I have requested. See attached exhibits.

Because of the lack of documentation, please remove this account from my credit report.

Thank you.

Sincerely,


John Hedrick

5/11/15
Date

Page 1 of 12



Page 2 of 12

About Our Shipping Process

This summary shows the redaction made to your credit file as a result of our processing of your dispute. If you still question an item, then you may want to contact the lender of the information directly or review the original information in the public record.

The Federal Fair Credit Reporting Act prohibits that you may:

- request a description of how we processed your data, including the business name and address of any supplier of information furnished in connection with such information and the telephone number if reasonably available;
 - add a statement disputing the accuracy or completeness of the information; and
 - request that we send those results to organizations who have requested your credit report in the past two years for employment purposes or six months for any other purpose.
- If no information follows, our response appeared on the previous page.

Deleted - This item was removed from your credit report

1

Remarks - This item was not changed as a result of our processing of your dispute

Updated - A change was made to this form.

review the report to view the change. If

ownership of the farm was disputed, then it was verified as belonging to you

Processed - This item was either updated or deleted; review this report to learn its outcome.

**We have completed the processing of your
degrade(s). Here are the results:**

500

CAPITAL ONE BANK USA N

Order

Updated

Visit expedition.com/status to check the status of your pending deposits at any time

10-10-68

VintageBoard® from Experient
for only \$7.98. To order, call
1 888 322 8463.

By law, we cannot disclose certain medical information (relating to physical, mental, or behavioral health or condition). Although we do not generally collect such information, it could appear in the name of a data beneficiary (e.g., "Cancer Center") that reports your payment history to us. If so, those names display on your report, but on reports to others, they display only as MEDICAL PAYMENT DATA. Consumer statements included on your report at your request that contain medical information are disclosed to others.

Page 4 of 13

Point in settlement: \$719 within 60.
This account is scheduled to continue on record until Jul 2019.

Comment:
Account previously in dispute - Investigation complete, reported by data handler

Your statement:
- Y ITEM DISPUTED BY CONSUMER

Comment:
Account paid in full for less than full balance
This item was updated from our processing of your dispute in May 2016.

• Federal Government

[illegible]

THE

0000100000

JOHN HEDRICK
2634 West Walnut Street
Colmar, PA 18915
[REDACTED]

Experian
P.O. Box 2002
Allen, TX 75013

Re. JOHN HEDRICK SSN: [REDACTED]
Date of Birth [REDACTED]
CAPITAL ONE Account Number [REDACTED]
Alleged Charge Off Balance \$719

REQUEST FOR METHOD OF VERIFICATION

I have disputed the above referenced account with your company in the past. Your company has verified the account information. I would like to request the method of verification that was used by your company in the reinvestigation process. What procedures did your company use to investigate the account?

Did you rely on documents provided by the furnisher?

Did you speak with any representative of the furnisher?

Did you receive written confirmation from the furnisher? If so, please describe and provide a copy.

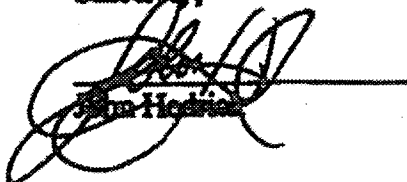
Did you receive any other verification from any third party?

What was your source of information?

Did you rely on any documents that I provided?

Please be specific in your description of the method of verification. Thank you.

Sincerely,


John Hedrick

6/10/15
Date

Case# 2016-00134-2 Docketed at Montgomery County Prothonotary on 01/25/2016 2:02 PM, Fee = \$0.00

PO Box 9701
Allen, TX 75013



0002207 02 MB 06 "ALPO 3 07137 00015-077124 C02-702208-1
JOHN HEDRICK
2834 WEST WALNUT STREET
COLMAR PA 18915-0771



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0906190508

Dispute results

About our dispute process

This summary shows the results (made to your credit file as a result of our processing of your dispute. If you still question an item, then you may want to contact the furnisher of the information directly or review the original information in the public record.

The Federal Fair Credit Reporting Act provides that you may:
 • request a description of how we processed your dispute, including the business name and address of any furnisher of information contacted in connection with such information and the telephone number if reasonably available;
 • add a statement disputing the accuracy or completeness of the information; and
 • request that we send those results to organizations who have requested your credit report in the past two years for employment purposes or at intervals for any other purpose.
 If no information below, our response appeared on the previous page.

Prepared for: JOHN HEDRICK
Date: July 02, 2016
Report number: 2016-1004-00

Page 1 of 12

How to read your results

Deleted - This item was removed from your credit report.

Remains - This item was not changed as a result of our processing of your dispute.

Updated - A change was made to this item; review this report to view the change. If

ownership of the item was disputed, then it was verified as belonging to you.

Processed - This item was either updated or deleted; review this report to learn its outcome.

Results

We have completed the processing of your dispute(s). Here are the results:

Credit Items	Outcome
CAPITAL ONE BANK USAN	Updated

Visit [experian.com/status](#) to check the status of your pending disputes at any time.

What's your credit score?
Find out by ordering your
VantageScore® from Experian
for only \$7.95. To order, call
1 888 322 5553.

By law, we cannot disclose certain medical information (relating to physical, mental, or behavioral health or condition). Although we do not generally collect such information, it could appear in the name of a data furnisher (e.g., "Cancer Center") that reports your payment history to us. If so, those names display on your report, but on reports to others, they display only as MEDICAL PAYMENT DATA. Consumer statements included on your report at your request that contain medical information are disclosed to others.

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2016, I filed the foregoing document with the Clerk of the Court. I also certify that the foregoing document is being served this day on counsel of record identified via first class mail, postage prepaid, as follows:

Vicki Piontek
Attorney at Law
951 Allentown Road
Lansdale, PA 19446
Counsel for Plaintiff

/s/ Mohammad A. Ghiasuddin
Counsel for Defendant
Experian Information Solutions, Inc.